

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 6-29-70 (defts.)

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>CEMENT ASBESTOS PRODUCTS COMPANY, a corporation</p> <p>vs</p> <p>BOWLINE CONSTRUCTION COMPANY, INC. a corporation, and UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation</p> <p>vs</p> <p>Precision Polymers, Inc. and Paint & Chemical Company</p> <p style="text-align: right;">Third-Party Defendants</p> <p>70-C-369 Consolidated with This Case</p>	<p>For plaintiff:</p> <p>Ungerman, Grabel, Ungerman & Leiter- Wright Building Tulsa, Oklahoma 74103</p> <p>Sam P. Daniel, Jr. ⁵⁸⁵⁻⁵⁵⁴¹ Doerner, Stuart, Saunders, Daniel & Langenkamp 1200 Atlas Life Building Tulsa, Oklahoma 74103</p> <p>For defendant:</p> <p>Paul E. Garrison ^(Revised) 300 Pythian Building Tulsa, Oklahoma 74103</p> <p>David H. Sanders ⁵⁸²⁻⁵¹⁸¹ 205 South Denver Building 620 South Denver Tulsa, Oklahoma 74119</p> <p>David H. Sanders ^{Precision Polymers} 205 South Denver Bldg. 620 South Denver, Tulsa 74119</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 7-1-70	Clerk	1970 6-9 6-11	Ungerman CD	15 00	15 00
J.S. 6 mailed 1-1-72	Marshal				
Basis of Action: Suit on open acct and bonds	Docket fee				
	Witness fees				
Action arose at: Tulsa	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-9-70	Complaint filed and summons issued. ds	
6-12-70	Summons returned, filed - served Bowline Construction Company, Inc., by serving Paul E. Garrison, Registered Agent, at Tulsa, Okla., 6-10-70. (Fee \$3.00) b	
6-25-70	Motion to bring in 3rd party defendants, filed. ds	
6-25-70	Brief in support of motion to bring in 3rd party defendants, filed. ds	
6-25-70	Summons, returned & filed: served United State Fidelity & Guaranty Co. by serving Joe B. Hunt, Okla. Ins. Commr., Okla. City, 6-15-70. (USM \$7.72)	
6-29-70	Order that defts. are granted leave to serve summons & complaint upon Precision Polymers, Inc., and Paint & Chemical Company as third party defts., filed. (LB-J)m	
6-29-70	Defts' demand for jury trial, filed. m	
6-29-70	Answer of defendants and counter-claim, filed. b	
7-20-70	Application of pltf. for additional time to 8-20-70 to plead or answer the counterclaim of defts, filed. m	
7-24-70	Order that pltf. is granted until 8-20-70 to plead or answer the counterclaim, filed. (LB-J)m	
8-19-70	Answer to Counterclaim filed by plaintiffs. h	
8-20-70	Defendants & Third Party Plaintiff's complaint filed. b	
8-20-70	Summons issued at request of Paul Garrison to Precision Polymers, Inc., a corporation. b	
9-17-70	Third-Party Summons, returned & filed: served Precision Polymers, Inc. at Rockaway, N. J. on 8-31-70. (USM \$11.68)g	
9-28-70	Motions of third-party defendant, Precision Polymers, Inc., Special Appearance and plea to venue and jurisdiction; and to dismiss, filed. b	
9-28-70	Brief in support of motions of Third-Party defendant, Precision Polymers, Inc., Special Appearance and Plea to Venue and jurisdiction; and to dismiss, filed. b	
10-6-70	Affidavit in support of special appearance and plea to venue and jurisdiction, filed. ds	
10-19-70	Amendment to Third Party Complaint, with affidavit of J.D. Sitton, Jr. filed. v	
10-19-70	Answer brief of Defts and Third party Pltf's to brief of third party Deft, Precision Polymers, Inc., filed. v	
11-19-70	Case called for hearing on motions of 3rd party deft. Precision Polymers, Inc. Special appearance and plea to venue & jurisdiction, & to dismiss. Mr. Garrison requests Court to dismiss 3rd party complaint without prejudice as against 3rd party defts. Motion granted & Mr. Garrison to prepare order. (LB-J)m (Larry Marks-COR)	
11-24-70	Notice of dismissal without prejudice of 3rd party defts. Precision Polymers, Inc., and Paint & Chemical Company, filed. m	
1-5-71	Case set for pre-trial 1-18-71 at 1:30 p.m. (LB-J)m	
1-8-71	Case set for pre-trial 1-18-71 at 1:30 p.m. (LB-J)m	
1-8-71	Order that case is stricken from pre-trial setting of 1-18-71, filed. (LB-J)m (copies mailed)	
3-1-71	Case set for pre-trial 3-10-71 at 10:30 a.m. (LB-J)m	
3-10-71	Case called for pre-trial hearing. It is ordered by the Court that case no. 70-C-369 is hereby consolidated with this case and pre-trial hearing stricken, to be set on next pre-trial docket, after answer is filed. (LB-J)m	
3-10-71	Deposition of J. D. Sinton, Jr., filed. (Fee: \$126.00 pd. by pltf.)m	
3-25-71	Answer of Precision Polymers, Inc., filed. m (with demand for jury trial)	
4-8-71	Case set for pre-trial hearing 4-15-71 at 9:30 a.m. (LB-J)m	

Continued -

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-14-71	Amendment to answer of Precision Polymers, Inc. filed. ds	
4-15-71	Case called for pre-trial hearing. Mr. Garrison requests Court to amend Cts. 1 & 2 of claim. Mr. Sanders asks dismissal of Ct. 1. Court announces he does have jurisdiction of principal parties in lawsuit. Mr. Garrison granted 5 days to amend and Precision Polymers 10 days to respond; case passed, to be set on next pre-trial docket. (LB-J)m	
5-3-71	Order, filed, that pltf./Bowline Const. Co. granted until 5-10-71 to file amendments to complaint & deft. Precision Polymers given 10 days thereafter to respond. (LB-J)m (copies mailed)	
5-4-71	Order, filed, that defts. are granted until 5-10-71 to file amendments to pleadings & pltf. given 10 days thereafter to respond. (LB-J)m (copies mailed)	
5-6-71	Ordered by the Court that atty. for Bowline is granted until 5-19-71 to amend his counterclaim. (LB-J)m	
5-18-71	Amended complaint of Bowline Construction Co. Inc., filed. g	
5-18-71	Answer and amended counter claims of defendants Bowline Constr. Co. and U. S. Fidelity & Guaranty Co., filed. g	
5-18-71	Application of Ungerman firm to withdraw as counsel, to be replaced by Doerner, Stuart, etc. firm filed. h	
5-20-71	Order, filed, that Ungerman firm is granted permission to withdraw as attys for Cement Asbestos Products Co. to be replaced by Doerner, Stuart firm. m <i>(copies mailed by Ungerman)</i>	
5-28-71	Stipulation of Bowline Construction Co., Inc., filed. r <i>a document to bridge</i>	
6-2-71	Order (part of stipulation), filed, that Precision Polymers is granted until 6-16-71 to plead or answer amended complaint of Bowline. (LB-J)m	
6-15-71	Motion of deft. Precision Polymers, Inc., to dismiss amended complaint and brief in support thereof, filed. m	
7-23-71	W. E. Burk, Affidavit, filed. v	
7-26-71	Case called for hearing on motion of deft. Precision Polymers, Inc. to dismiss amended complaint of Bowline Construction Co., Inc. Court takes ruling under advisement and will enter an order within one week. (LB-J)m	
8-9-71	Order that motion of deft. Precision Polymers, Inc. to dismiss amended complaint is denied, and deft. given 10 days to answer, filed. (LB-J)m (copies mailed)	
8-20-71	Answer of Precision Polymers, Inc. to amended complaint, filed. m	
8-24-71	Case set for pre-trial 9-9-71 at 9:30 a.m. (LB-J)m	
9-9-71	Case called for pre-trial hearing. Statements made. Parties announce dismissal of both cases subject to USF&G's approval and orders to be prepared. (LB-J)m	
12-15-71	Stipulation for dismissal, filed. ds	
12-15-71	Order, dismissing case without prejudice, filed and entered. (LB-J) copies mailed.	

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